

RESOLUTION NO. 2018-R-123

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE SITE PLAN FOR A PROPOSED 6,129 SQUARE FOOT FACILITY, INCLUDING CONVENIENCE STORE AND FUEL CANOPY WITH TWELVE (12) FUELING POSITIONS ON THE 0.59 ACRE REAL PROPERTY, GENERALLY LOCATED AT 13705 NW 7TH AVENUE AND SPECIFICALLY IDENTIFIED WITH MIAMI-DADE COUNTY FOLIO NUMBER: 06-2124-002-3290, IN ACCORDANCE WITH ARTICLE 2, DIVISION 7, SECTION 2-701 AND ARTICLE 3, DIVISION 2, SECTION 3-204 THROUGH SECTION 3-206, AND ARTICLE 3, DIVISION 3, SECTION 3-302 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, CHAPTER 29, ENTITLED “LAND DEVELOPMENT REGULATIONS”; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, on July 11, 2017, the Mayor and City Council of the City of North Miami adopted the Land Development Regulations (“LDRs”) under Chapter 29 of the City’s Code of Ordinances, in order to implement the adopted EAR-Based Amendments to the Comprehensive Plan, consistent with the requirements of section 163.3184 of the Florida Statutes; and

WHEREAS, Article 3, Division 2, Section 3-204 through 3-206 of the LDRs establish criteria for Site Plan review by the Development Review Committee (DRC); and

WHEREAS, Article 2, Division 7, Section 2-701, and Article 3, Division 2, Section 3-204 (O)(1), and Section 3-206 (E) of the LDRs provide that the Mayor and Council review and approve of Site Plan applications for developments over five thousand (5,000) square feet; and

WHEREAS, 13705 OPA LOCKA, LLC is the owner of the Subject Property, which is 25,751 square feet (0.59 acre) in size, generally located at 13705 NW 7th Avenue, and specifically identified with Miami-Dade County folio number: 06-2124-002-3290; and

WHEREAS, the Subject Property has a zoning designation of C-1, Commercial District, which allows a wide-variety of commercial uses, including convenience stores and automobile service stations (with approval as a special exception), and is also within the Planned Corridor Development District which provides for a maximum permitted height of two hundred (200) feet; and

WHEREAS, the property owner, 13705 OPA LOCKA, LLC authorized 7-Eleven, Inc., and Bill Pfeffer of Bowman Consulting (“Applicant”) to submit a Site Plan application to the Community Planning and Development Department, requesting site plan approval for “7-Eleven #38449”, a proposed twenty-four (24) foot high, one-story convenience store with a fuel canopy to accommodate twelve (12) fueling stations on the Subject Property; and

WHEREAS, the DRC reviewed the Site Plan and on August 24, 2018, found that it conforms to the requirements of LDRs and the City’s Comprehensive Plan, and thereby recommends the application for approval to the Mayor and City Council, subject to the conditions indicated in the corresponding Staff Report; and

WHEREAS, in accordance with Article 2, Division 7, Section 2-701, and Article 3, Division 2, Section 3-204 through 3-206 of the LDRs, the Mayor and City Council find that the proposed site plan application is consistent with the City’s adopted LDRs and the goals, policies and objectives of the City’s Comprehensive Plan.

WHEREAS, the Mayor and City Council have determined that the proposed site plan furthers the best interest of the City, will not adversely affect the public health, safety, and welfare, and thereby approve the Site Plan application as recommended by the DRC.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. Mayor and City Council Approval. The Mayor and City Council of the City of North Miami, Florida, hereby approve the site plan application , subject to the conditions indicated in the corresponding Staff Report, for “7-Eleven #38449” from 13705 OPA LOCKA, LLC, to develop a proposed twenty-four (24) foot high, one-story convenience store with a fuel canopy to accommodate twelve (12) fueling stations on the Subject Property located at 13705 NW 7th Avenue, specifically identified with Miami-Dade County folio number: 06-2124-002-3290, in accordance with Article 3, Division 2, Section 3-204 through 3-206 of the City of North Miami Code of Ordinances, Land Development Regulations.

Section 2. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 4-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 25th day of September, 2018.


DR. SMITH JOSEPH
MAYOR

ATTEST:


MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Desulme

Seconded by: Galvin

Vote:

Mayor Smith Joseph, D.O., Pharm. D.
Vice Mayor Carol Keys, Esq.
Councilman Scott Galvin
Councilman Alix Desulme
Councilman Philippe Bien-Aime

_____	(Yes)	_____	(No)	Absent
<u>X</u>	(Yes)	_____	(No)	
<u>X</u>	(Yes)	_____	(No)	
<u>X</u>	(Yes)	_____	(No)	
<u>X</u>	(Yes)	_____	(No)	